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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: January 5, 2006 Name: John C. Freeman, Esq. Signature: [Signature]

BRINKS
HOFFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: WOLFGANG HOLZAPFEL et al.

Appln. No.: 10/821,518

Filed: April 9, 2004

For: SCANNING UNIT FOR POSITION
MEASURING INSTRUMENT FOR
OPTICAL SCANNING OF A MEASURING
GRADUATION

Examiner: Unassigned

Art Unit: 2877

Attorney Docket No: 56/429

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Supplemental Information Disclosure Statement, PTO Form 1449, Three (3) Cited References.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

[Signature]
John C. Freeman, Esq. (Reg. No. 34,483)

January 5, 2006
Date



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on January 5, 2006.

Name of Registered Representative:

John C. Freeman
John C. Freeman, Reg. No. 34,483

January 5, 2006
Date of Signature

PATENT
CASE NO. 56/429

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---------------------------------|---|----------------------|
| In re Application of: |) | |
| |) | |
| Wolfgang Holzapfel et al. |) | |
| |) | Art Unit: 2877 |
| Serial No.: 10/821,518 |) | |
| |) | Examiner: unassigned |
| Filed: April 9, 2004 |) | |
| |) | |
| For: SCANNING UNIT FOR POSITION |) | |
| MEASURING INSTRUMENT FOR |) | |
| OPTICAL SCANNING OF A |) | |
| MEASURING GRADUATION |) | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. A copy of the cited U.S. Patent Application Publication is not being supplied pursuant to the waiver of the rules presented in the U.S. Patent and Trademark Office Official Gazette Notice dated August 5, 2003. A copy of PCT reference WO 02/084223

A1 is not being supplied since it was previously supplied with Applicants' Information Disclosure Statement filed on June 29, 2004. The other cited references are being supplied along with a completed copy of Form PTO-1449.

I. DISCLOSURE

A. U.S. Patent Application Publications

| <u>Publication No.</u> | <u>Inventor</u> | <u>Pub. Date</u> |
|------------------------|-----------------|------------------|
| US 2004/0118758 A1 | Gordon-Ingram | 06/24/04 |

B. Foreign Patents

| <u>Reference No.</u> | <u>Country</u> | <u>Pub. Date</u> |
|----------------------|----------------|------------------|
| WO 02/084223 A1 | WIPO | 10/24/02 |
| 2004-529344 A | Japan | 09/24/04 |

C. Literature

1. Anderson, R.H., "Close-up imaging of documents and displays with lens arrays," Applied Optics, Vol. 18, No. 4, February 15, 1979, pp. 477-484.
2. Shaoulov, Vesselin, et al., "Compact Relay Lenses Using Microlenslet Arrays," Proc. Of SPIE, Vol. 4832, 2002, pp. 74-79.

II. DISCUSSION

A. Japanese Patent Reference 2004-529344

Based solely on the drawings and the attached English-language Abstract, the '344 patent reference is pertinent because it appears to disclose an absolute measurement scale in which absolute data in the form of codewords is embedded in the scale. It is believed that U.S. Patent Application Publication No. 2004/0118758 and PCT reference WO 02/084223 correspond to the

'344 patent reference.

The '344 patent was cited by a third party to the Japanese Patent Office during prosecution of corresponding Japanese patent application 2004-100790.

B. Anderson Article

The Anderson article was cited by a third party to the Japanese Patent Office during prosecution of corresponding Japanese patent application 2004-100790.

C. Shaoulov et al. Article

The Shaoulov et al. article was cited by a third party to the Japanese Patent Office during prosecution of corresponding Japanese patent application 2004-100790.

III. CONCLUSION

It is not believed that these references, alone or in combination, disclose or suggest the claimed invention. However, Applicants wish to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to

see. Applicants therefore request that the Examiner review the entire disclosure of the references and make the above-listed references of record.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John C. Freeman", is written over a horizontal line.

John C. Freeman
Registration No. 34,483
Attorney for Applicants

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200



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|---|-------------------------------|-------------------------------|
| FORM PTO-1449 | APPLICATION NO. 10/821,518 | ATTORNEY DOCKET NO. 56/429 |
| LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | FILING DATE April 9, 2004 | GROUP ART UNIT 2877 |
| FIRST NAMED INVENTOR: Wolfgang Holzapfel et al. | | |
| EXAMINER NAME: Unassigned | | |

| EXAMINER INITIALS | Cite No. | DOCUMENT NUMBER Number-Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Class/Subclass | Filing Date |
|-------------------|----------|--|--------------------------------|---|----------------|-------------|
| | A1 | US 2004/0118758 A1 | 06/24/04 | Gordon-Ingram | | |
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FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS | Cite No. | Foreign Patent Document Country Code, Number -Number-Kind Code (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Class/Subclass | T |
|-------------------|----------|--|--------------------------------|---|----------------|---|
| | A2 | JP 2004-529344 A | 09/24/04 | | | X |
| | | | | | | |
| | | | | | | |
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NON PATENT LITERATURE DOCUMENTS

| EXAMINER INITIAL | (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. | | | | T |
|------------------|--|--|--|--|---|
| | A3 | Anderson, R.H., "Close-up imaging of documents and displays with lens arrays," <i>Applied Optics</i> , Vol. 18, No. 4, February 15, 1979, pp. 477-484. | | | |
| | A4 | Shaoulov, Vesselin, et al., "Compact Relay Lenses Using Microlenslet Arrays," <i>Proc. Of SPIE</i> , Vol. 4832, 2002, pp. 74-79. | | | |
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NOTE: For "T" – please place an "X" if an English translation is being provided to the Patent Office.

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.